IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital : the 10th day of May 2005
Criminal Misc. Bail application no.365/ 2005
Order on the bail application of accused

CRIMINAL SIDE

Usman
S/o Shri Bundu
R/o village Nagalsoti
P.S. Nagalsoti
District Bijnor (U.P.) …Applicant

Versus

State of Uttaranchal …Opposite Party

Arising out of case crime No.177/2005
U/s 25 of Arms Act registered on the basis of F.I.R. dated 6.2.2005
P.S. Kotdwar
District Pauri Garhwal

AND

Criminal Misc. Bail Application No. 366/2005

1. Wazid S/o Shri Shafat
2.Usman S/o Shri Bundu
Both R/o village Nigalsoti
P.S. Nagalsoti
District Bijnor (U.P.) …Applicants

Versus

State of Uttaranchal ….Opposite party

Arising out of case crime No. 176/2005
U/s 307 I.P.C.
Registered on the basis of F.I.R. dated 6.2.2005
P.S. Kotdwar
District Pauri Garhwal
Case crime No. 175/2005 U/s 411 I.P.C.
Case crime No. 177/2005 U/s 25 of the Arms Act
Case crime No. 178/2005 U/s 25 of the Arms Act

AND

Criminal Misc. Bail Application No. 367/2005

1. Wazid S/o Shri Shafat
2. Usman S/o Shri Bundu
Both R/o Village Nigalsoti
P.S. Nagalsoti
District Bijnor (U.P.) ….Applicants

Versus

State of Uttaranchal …Opposite party

Arising out of Case Crime No. 175/2005
U/Ss 379, 411 I.P.C.
Registered on the basis of F.I.R. dated 4.2.2005
P.S. Kotdwar
District Pauri Garhwal

AND

Criminal Misc. Bail Application No. 368/2005

Wazid S/o Shri Shafat
R/o Village Nigalsoti
P.S. Nagalsoti
District Bijnor (U.P.) .....Applicants

Versus

State of Uttaranchal …Opposite party

Arising out of Case Crime No. 178/2005
U/s 25 of Arms Act
Registered on the basis of FIR dated 6.2.2005
P.S. Kotdwar
District Pauri Garhwal

Hon'ble J.C.S. Rawat, J.

Heard Sri R.P. Nautiyal learned counsel for the applicants and learned A.G.A. for the State.

I have gone through the case-diary as well as the recovery memo. According to the F.I.R. Sattar is the main accused and the present applicants were sitting on the tractor alongwith Satter. It has been alleged that the accused fired upon the police party, but the learned counsel for the applicant contended that there is no injury on

the person of the police party. Considering the facts and circumstances of the case, I am of the view that the case of the present applicants is different from the main accused.

Let the applicants–accused be released on bail on executing a personal bond each and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated 10.5.2005
LSR